

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6921

BILL NUMBER: HB 1203

NOTE PREPARED: Feb 1, 2006

BILL AMENDED: Jan 30, 2006

SUBJECT: Preliminary Orders in Juvenile Cases.

FIRST AUTHOR: Rep. Thompson

FIRST SPONSOR: Sen. Bray

BILL STATUS: As Passed House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: No Fiscal Impact

Summary of Legislation: (Amended) This bill has the following provisions:

- A. It allows a juvenile court at a detention hearing to: (1) impose on a child alleged to be a child in need of services, or on the child's parent, guardian, or custodian, conditions to ensure the child's appearance at subsequent proceedings, the safety of the child, or both; and (2) impose on a child alleged to be a delinquent child, or on the child's parent, guardian, or custodian, conditions to ensure any combination of the child's appearance in subsequent proceedings, the safety of the child, or the public's physical safety.
- B. It requires a court to set a hearing within 48 hours to determine whether emergency placement is appropriate for a child whose custodial parent or guardian has died or become unable to care for the child, if a person other than a parent files a petition to determine or modify custody of the child. It provides that a court is not required to set a hearing within 48 hours if: (1) it appears from the pleadings that placement of the child with a person other than the noncustodial parent is not in the best interests of the child; it appears from the pleadings that the petitioner does not have a reasonable likelihood of success on the merits; or (3) manifest injustice would result.

Effective Date: July 1, 2006.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Courts with juvenile jurisdictions.

Information Sources:

Fiscal Analyst: Mark Goodpaster, 317-232-9852.